

April 04, 2016

PRESENT: Rusty Bridle, Chairman
Jim Waddell, Vice-Chairman
Rick Griffin, Selectman
Phil Bean, Selectman
Regina Barnes, Selectman
Frederick Welch, Town Manager

I. Public Comment Period

Charlie Preston: parking is still free at the beach until Marathon Monday.

II. Announcements and Community Calendar (6:00)

Selectman Barnes: the Board of Directors for Experience Hampton is having their first annual meeting this Wednesday at 6PM at the Old Salt in the Goody Cole Room.

Selectman Waddell: Channel 22 have a community corner program where nonprofits and different groups in Town can come in and tell what they are about, etc., the slide gives information on who to get in touch with, take advantage of that.

Selectman Griffin: there is a meeting held at the stage area at the beach is May 19, 2016 at 5:30; people will be able to ask questions and make comments about things happening at the beach.

Chairman Bridle: Hampton Parks and Recreation are doing a travel show Wednesday April 13, 2016 at 6:00; they have a couple of trips planned for this year with this being the 100th Anniversary of our National Parks.

Chairman Bridle: send condolences to Deputy Chief Hobbs for the passing of his father.

Selectman Griffin: there is a 2:00 meeting at the Hampton Historical Society this Sunday about the Isles of Shoals.

III. Consent Agenda (8:45)

1. 2016 Veteran Requalification's: Blume, Gerhard VET \$500 177/10; Bouchard, Paul VET \$500 295/29; Bragg, George VET \$500 144/54; Bridge, Thomas VET \$500 129/24; Butler, Heidi SPOUSE \$500 205/6; Cocchiaro, Jacqueline SPOUSE \$500 305/37; Cook, Thomas VET \$500 189/7; Cyr, Nicholas VET \$500 178/76; Delaney, Kevin VET \$500 208/48; Landry, James VET \$500 91/4/3; Mulligan, Grace SPOUSE \$500 139/94
2. 2016 New Veteran: Travnicek, Andrew VET \$500 115/7; Travnicek, Sandy VET \$500 115/7
3. 2016 New Veteran's Spouse: Binette, Joyce SPOUSE \$500 2015/18

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4. 2016 Elderly Requalification's: Major, Lorraine ELDERLY \$120,000 166/1/2
5. 2016 New Elderly: Day, Suzanne ELDERLY \$120,000 222/59/3; Defigh, Ron & Jacqueline ELDERLY \$120,000 133/68/10; Paras, Judith ELDERLY \$120,000 22/59/9; White, Valere ELDERLY \$178,000 90/32/H57; Workman, Harrison ELDERLY \$120,000 218/10/55
6. Permission for Hampton Arts Network Art Displays at the Town Offices
7. Entertainment License and Posted Permit: Ashworth by the Sea 295 Ocean Blvd
8. Hawkers & Peddlers License: Jennifer Eaton Concession Stand At Tuck Field
9. Committee Appointments;
 - a. Recreation Advisory Council: Jill Gosselin, Charlene MacDonald; Skip Webb, Alternate
 - b. Cable TV: Paul Paquette, Brad Jett, Brain McCain
 - c. Leased Land Commission: Ute Pineo
 - d. Mosquito Control: Richard Reniere
 - e. Conservation Commission: Diane Shaw, Peter Tilton, Jr., Patrick Swank
10. Hampton Town Clock Inter-municipal Agreement

Selectman Waddell MOTIONED to MOVE the Consent Agenda SECONDED by Selectman Griffin.

VOTE: 5-0-0

IV. Appointments

1. Chief Sawyer, Police Department Appointment postponed.
2. Ed Tinker, Chief Assessor (10:18)
 - a. 2015 Abatements: 2015-15 Hampton Beach Village District 164 Ashworth Ave \$15,595.85; 2015-16 Hilton, Roberta 11 Thornton St. \$1,523.22; 2015-18 Solo Ventures, LLC 387 Lafayette Rd #106 \$185.85; 2015-19 Solo Ventures, LLC 387 Lafayette Rd #107 \$185.85; 2015-21 101 Ocean Blvd, LLC 101 Ocean Blvd \$4,586.72

Selectman Bean MOTIONED to APPROVE the 2015 Abatements SECONDED by Selectman Griffin.

VOTE: 5-0-0

b. Utility Appraisal Contract 2016

Selectman Waddell: what chance do we have with these now; is it in affect going to put us right out of any of these assessments?

Mr. Tinker: not for this year, but things may change down the road; there are indications it may change and portions are out of our hands.

Selectman Waddell: right now it is better we stay on top of it. Mr. Tinker: one good thing we were able to get this approved is some things the State is looking to do as to qualified or approved work under certain standards we would not be able to do these in house. It would be impossible to do without having a USPAP compliance report to be done which would require a licensed appraiser to do, not an assessor.

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Attorney Gearreald: it is good to note some of these utilities are not whole utilities, such as gas and water; they would not be affected by this legislation.

Mr. Tinker: this contract does not affect Seabrook; this includes five utilities plus FairPoint Communication.

Selectman Waddell MOTIONED to APPROVE the Utility Appraisal Contract 2016
SECONDED by Selectman Barnes.

VOTE: 5-0-0

Mr. Tinker: wants to update you on the progress of the revaluation; beginning tomorrow we are going to start reviewing commercial property it will be a slow process to start with; on April 13, 2016 we are going to begin the residential review. We are hoping to have the review completed by the middle of May at the latest of all properties; we can build values and notify property owners during July of the new values and will have hearings prior to the end of the summer season.

Selectman Waddell: when will the new values show up? Mr. Tinker: in the winter, the second tax bill of 2016

c. Notice of Intent to Cut 298 Exeter Road Map/Lot 67-1

Mr. Tinker: this property has a conservation easement, which requires the area of land to stay in its current State; this specifically States that it cannot be changed from its current condition, which is a wooded area. With the intent to cut notice, we have 30 days to respond or send it to the DRA; however, we have spoken with the company and told them they could potentially cut on the rest of the land as long as they supply a survey, done by a licensed surveyor, delineating the conservation area. We would then make an inspection on site to confirm that the conservation area has been completely marked and remains in its natural and current condition. I told them if this were not a choice, we would resubmit a new one once the legal issues with the conservation were cleared up.

Attorney Gearreald: Fred has discussed this with me and I believe there is a motion for the board to consider on this regard.

Selectman Waddell, I hereby MOVE to deny the Intent to Cut on the following basis:

1. The area to be cut likely includes the tract of land upon which there is a Conservation Easement upon which a wing of the healthcare facility is proposed to be built, and this area needs to be flagged as a no-cut zone and documented by a registered land surveyor;
2. The area to be cut is not yet clearly flagged and verified;
3. No cut areas abutting State Highways need to be marked;
4. Logging equipment subject to roadway posting should the roadway be harmed by operations;
5. Appropriate security has not been posted with DPW for roadway damage protection caused by vehicles and equipment; and
6. Wetlands areas need to be protected and any required filings for wetlands need to be properly filed and approved with Conservation and/or Planning if required.

SECONDED by Selectman Bean

VOTE: 5-0-0

HB 1198 Telephone Company Pole Assessments

Mr. Tinker: the senate now has the bill; it is tentatively scheduled for hearing on April 12, 2016. I did receive a call from Senator Stiles today and her office is unaware if the meeting is going to happen on the 12th, they have no definite, so it may be pushed out to a later date. I am going to be meeting with her on the poles and the conduits. There is an amendment to push it back from 40 years to 50 years, which was their initial presentation; the house wanted to lower it to 30, but they compromised to 40, but that percentage difference would not be a big gain for value we lost from the 20% cap.

Town Manager Welch: we sent a letter as the board directed, a short time after receiving it Senator Boutin called, and he did indicate he was proposing an amendment to the current bill, which raises it to 50 years. He also asked given the amendment and trying to extend the life period of the poles would the selectmen be willing to withdraw their letter and send a letter supporting the bill. I told him I would submit the request to you.

Selectman Bean: HB 1198 is the utility revenue given away from the Town of Hampton and other municipalities; along with 7980 and the pollution control exemptions; this board is attempting to establish a strategic doctrine to technically preserve our tax base. Over 10 years this is a \$2,000,000 hit with those three legislative pieces alone.

Selectman Waddell: we are staying proactive and on top of this.

Chairman Bridle: we send the letter that was formulated by Mr. Tinker and we do not have any interest in rescinding our other letter.

Selectman Waddell: the public needs to know that not only is Hampton losing money, but the school tax also is losing; the loss of tax revenue not only affecting the Town, but the schools also.

V. Approval of Minutes (26:53)

1. March 21, 2016

Selectman Griffin MOTIONED to APPROVE the Minutes of March 21, 2016 SECONDED by Selectman Bean.

VOTE: 5-0-0

VI. Town Manager's Report (27:06)

1. The filing period for Veterans, Elderly and Blind exemptions and for the Hampton Beach Precinct reduced tax rate ends on April 15th. Please be sure to visit the Assessor's Office for all necessary forms.
2. April 15th is the last day to file for Current Use taxation with the Assessor's Office.
3. All religious, charitable and educational organizations must file their annual list of exempt property with the Assessor's Office by April 15th.
4. Please see the Town Clerk's Office for your annual Dog Licenses. All current licenses expire on April 30th.
5. The NH Municipal Association's Legislative Bulletin will be available on the Town's website as it is issued. Please review as many of the items listed for action by the State

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Senate and House of Representatives may include expenses that may affect your property taxes negatively.

6. The Department of Public Works will be conducting a Town wide yard waste pickup April 25th to the 28th. Do not place branches out, as they will not be picked up, please bring them to the Transfer Station.
7. The Police Department that will be doing mandatory State required training and will take place on April 9, April 13-16, April 23 and April 30 from 9AM-7PM.
8. The Acorn School will be conducting a raffle at the Community Oven on Lafayette Road for the Becky Shepard scholarship fund.

Selectman Waddell MOTIONED to approve the Acorn School Raffle SECONDED by Selectman Bean.

VOTE: 5-0-0

Selectman Waddell: would you update for the public's knowledge the progression on the sewer pipe. Town Manager Welch: they are working with engineers to determine the actual cost of replacement and the time-period it needs to take place; we estimate we will not have the complete information until September 1, 2016; and will be able to determine what the bond would cost. It looks like we are talking somewhere around \$5,000,000, that is a guess. The boards involved would be the Board of Selectmen and the Budget Committee.

Selectman Waddell: how are we coming on the gristmill? Town Manager Welch: the State is coming to inspect this week.

Selectman Griffin: what is #6 under your report about? Town Manager Welch: DPW will be picking up leaves, clippings and things of that nature, but no wood or branches.

VII. Old Business (35:14)

1. HB 1198 Telephone Company Pole Assessments – completed - please see above

Selectman Griffin: what happens if at the special Town meeting the vote is no? Town Manager Welch: Than we are prohibited from doing anything until another Town meeting changes that. We have discovered that at one joint in the pipe, stones were placed underneath it, which is where due to vibrations the stones tore a hole through the pipe; there are 200 other splices in that pipe could have been braced by the same material.

Selectman Griffin: Supposedly, the people who had put the pipe in, were there, did they recommend replacing the entire pipe? Town Manager Welch: no, we do not know if it needs to be replaced, but you are taking a chance and have potentially 200 other spots where it could happen.

Selectman Griffin: what is happening with them possibly being at fault? Attorney Gearreald: we are looking into analyzing the facts on that and trying to locate the original contract and any specifications that were there; in other words there may have been specifications for the rocks being placed there.

Selectman Griffin: did the State recommend there be a Town meeting? Town Manager Welch: the State has not recommended anything; they are not involved at this point; the EPA and State have accepted our reports. We are back in service and hope to stay in service; a problem that

we have is that we cannot clean it and it is not level; 25% of the pipe has filled with stone and muck; we are at the mercy of not knowing what is there.

Selectman Griffin: it is obvious it needs to be done, but needing a Town meeting, I question that. The DPW Director mentioned that there is a possibility we could be fined by the EPA, do we know how many other Towns have been fined by the State? Attorney Gearreald: I am not aware of any other Town that has this same arrangement of these pipes going under a marsh, and am not aware of any others fined for this reason. There was a series of requests for information about what we knew and when we knew it and that was answered in a timely fashion.

Chairman Bridle: would it be the State or the EPA to fine. Attorney Gearreald: it could be either one, but more than likely it would be the State.

Selectman Griffin: we have known for a long time that the pipe through Town was a problem. Town Manager Welch: we did, but not how much of a problem it is; the damaged area is much longer than we thought. We would normally be able to line it, but since there are pieces of the pipe that are missing, it would not work.

Selectman Griffin: could conceivably both projects be done under the same warrant? Town Manager Welch: yes.

Selectman Griffin: to save time, I would rather do both projects at the same time and saving money by doing this. Town Manager Welch: our biggest problem is making it through the summer; we need both lines during the summer months, as we do not have the capacity of using only one of the lines during the summer. We are waiting on all the facts.

Selectman Barnes: I wrote a letter regarding Aquarion's response, as I cannot go to the meeting. Responding to their response concerning the postage and bill processing, but not clarified to what those amounts consist of; subsidiary between NH, MA and CT and I want to know what percentage will be paid by NH (Hampton, North Hampton). I cannot figure out where they came up with the calculations of total average days and the capital percentages, which fluctuate quite heavily. And the question of whether the \$23,000 is going to be a recurring expense, as I believe it will; after 2018 it is going to be embedded into their requirements; how do they expect to save going from quarterly to monthly billing cycle, as they will have more costs.

Attorney Gearreald: the session will be at the PUC, South Fruit Street, Concord, NH, Thursday, April 7 at 1:30; we will make sure Regina's letter will be part of the record.

Town Manager Welch: I spoke with the Finance Director today; she was provided with the information that came from Aquarion and she is unable to determine how they reach their conclusions because the information is so incomplete that there is no essential working document to refer to in order to figure out how they calculated it. They need to tell us how they calculated the amount.

Attorney Gearreald: the initial figure of the amount they wanted deferred as the loss of working capital is \$23,169, actually should be multiplied by three, before they include it in the next rate case, which is closer to \$70,000. They say this is either going to be embedded in the company's revenue requirement or incorporated as an amortization expense as part of the rates in the next rate proceeding, which is a not nice way of saying that we are going to be paying for it for a long time.

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Selectman Griffin: the parent company of Aquarion Water just bought two companies for an outlandishly obscene amount of money in cash, so they are just raking in the money from the poor people of Hampton. Town Manager Welch: that is as succinct as you can get, because that is exactly what they are doing; the money is leaving here and going there. I do note that where their company headquarters is in Hingham, MA, the Town of Hingham is voting to unseat them, take over the water department, and boot them out of Town.

Selectman Griffin: their parent company is in Australia. Town Manager Welch: that is where most of our money is all going, not staying here at all.

Selectman Bean: the President of Aquarion and I spoke a couple of weeks ago; we had a very nice conversation; Fred and I had been up to testify, some of us were allowed to testify and some were not, but the President of the company did agree that all should have been able to be heard.

VIII. New Business (55:19)

IX. Closing Comments

X. Adjournment

Selectman Bean MOTIONED to adjourn the public meeting at 7:51 PM SECONDED by Selectman Waddell.

VOTE: 5-0-0

Chairman